

09/22/03
13408 U.S. PTO

Patent
Attorney's Docket No. 016800-643

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

REQUEST FOR FILING CONTINUATION/DIVISIONAL
APPLICATION UNDER 37 C.F.R. § 1.53(b)

22141 U.S. PTO
10/665372
09/22/03

MAIL STOP PATENT APPLICATION

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Customer No. **21839**

Sir:

This is a request for filing a ☒ continuation ☐ divisional application under 37 C.F.R. § 1.53(b) of pending Application No. 09/859,392 filed on May 18, 2001, for MANGANESE COMPOSITIONS FOR TREATING SKIN VASCULAR TISSUE AND COMBATING SKIN PALLOR, by the following named inventor(s):

- (a) Full Name Isabelle NONOTTE
- (b) Full Name Lionel BRETON
- (c) Full Name _____

☐ Applicant(s) hereby requests that the above-captioned application **NOT BE PUBLISHED** under 35 U.S.C. § 122(b) and 37 C.F.R. § 1.211. The undersigned hereby certifies that the invention disclosed in this application has not and will not be the subject of an application filed in another country, or under a multilateral international agreement, that requires publication at eighteen months after filing.

☐ The entire disclosure of the prior application from which a copy of the oath or declaration is supplied herewith is considered as being part of the disclosure of the accompanying application and is hereby incorporated by reference therein.

☐ This application is being filed by less than all the inventors named in the prior application. In accordance with 37 C.F.R. 1.63(d)(2), the Commissioner is requested to delete the name(s) of the following person or persons who are not inventors of the invention being claimed in this application.

- (a) Full Name _____
- (b) Full Name _____
- (c) Full Name _____

☐ This application is being filed by more than all the inventors named in the prior application. In accordance with 37 C.F.R. 1.63(d)(5), a new oath or declaration is enclosed, and the Commissioner is requested to add the name(s) of the following person or persons who are inventors of the invention being claimed in this application.

- (a) Full Name _____
- (b) Full Name _____
- (c) Full Name _____

- ☐ Applicant(s) suggests Figure _ for inclusion on the front page of the patent application publication and/or patent.
- ☒ Applicant(s) requests that the published application include the following assignment information: SOCIÉTÉ L'ORÉAL S.A., 14, RUE ROYALE, 75008 PARIS, FRANCE.
1. ☐ Enclosed is a copy of the prior Application No. _____ as originally filed on _____, including copies of the specification, claims, drawings and the executed oath or declaration as filed.
2. ☒ Enclosed is a revised prior application and a copy of the prior executed oath or declaration as filed. No new matter has been added to the revised application.
3. ☐ Small entity status is hereby claimed.
4. ☒ The filing fee is calculated below ☐ and in accordance with the enclosed preliminary amendment:

C L A I M S					
	NO. OF CLAIMS		EXTRA CLAIMS	RATE	FEE
Basic Application Fee					\$750.00 (1001)
Total Claims	44	MINUS 20 =	24	× \$18.00 (1202) =	\$432.00
Independent Claims	5	MINUS 3 =	2	× \$84.00 (1201) =	\$168.00
If multiple dependent claims are presented, add \$280.00 (1203)					0
Total Application Fee					\$1,350.00
If small entity status is claimed, subtract 50% of Total Application Fee					
Add Assignment Recording Fee of \$_ if Assignment document is enclosed					
TOTAL APPLICATION FEE DUE					\$1,350.00

5. ☒ This application is being filed without a filing fee. Issuance of a Notice to File Missing Parts of Application is respectfully requested.
6. ☐ Charge \$ _____ to Deposit Account No. 02-4800 for the fee due.
7. ☐ A check in the amount of \$ _____ is enclosed for the fee due.
8. ☐ Cancel in this application original claims _ of the prior application before calculating the filing fee.
9. ☐ New drawings are enclosed.

10. ☒ Priority of Application No. FR 00/06374 filed on May 18, 2000 in France (country) is claimed under 35 U.S.C. § 119.
- ☒ The certified copy of the priority application
- ☐ is enclosed.
- ☒ was filed on May 18, 2001 in prior Application No. 09/859,392, filed on May 18, 2001, and acknowledged by the Examiner on December 12, 2001 in Paper No. 5.
- ☐ has not yet been filed.
11. ☐ A preliminary amendment is enclosed.
12. ☒ An Information Disclosure Statement is enclosed.
13. ☐ A General Authorization for Payment of Fees and Petitions for Extensions of Time is enclosed.
14. ☒ Also enclosed Letter Accompanying Filing Under 37 C.F.R. § 1.53(b) Without Payment of Filing Fee and Letter Accompanying Filing of Continuation Application Under 37 C.F.R. § 1.53(b).
15. ☐ The power of attorney in the prior application is to .
- a. ☒ The power appears in the original papers in the prior application.
- b. ☐ Since the power does not appear in the original papers, a copy of the power in the prior application is enclosed.
- c. ☐ Recognize as Associate Attorney .
- d. ☒ Address all future communications to: (May only be completed by applicant, or attorney or agent of record.)

BURNS, DOANE, SWECKER & MATHIS, L.L.P.
Customer Number: **2 1 8 3 9**
P.O. Box 1404
Alexandria, Virginia 22313-1404

Date: September 22, 2003

By: Mary Katherine Baumeister
Mary Katherine Baumeister
Registration No. 26,254

ADDRESS OF SIGNATOR:

BURNS, DOANE, SWECKER & MATHIS, L.L.P.
P.O. Box 1404
Alexandria, Virginia 22313-1404
(703) 836-6620

☐ inventor(s)
☐ assignee of complete interest
☐ attorney or agent of record
☒ filed under 37 C.F.R. § 1.34(a)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

REQUEST FOR FILING CONTINUATION/DIVISIONAL
APPLICATION UNDER 37 C.F.R. § 1.53(b)

MAIL STOP PATENT APPLICATION

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Customer No. **2 1 8 3 9**

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- ☐ The entire disclosure of the prior application from which a copy of the oath or declaration is supplied herewith is considered as being part of the disclosure of the accompanying application and is hereby incorporated by reference therein.
- ☐ This application is being filed by less than all the inventors named in the prior application. In accordance with 37 C.F.R. 1.63(d)(2), the Commissioner is requested to delete the name(s) of the following person or persons who are not inventors of the invention being claimed in this application.

- (a) Full Name _____
- (b) Full Name _____
- (c) Full Name _____

- ☐ This application is being filed by more than all the inventors named in the prior application. In accordance with 37 C.F.R. 1.63(d)(5), a new oath or declaration is enclosed, and the Commissioner is requested to add the name(s) of the following person or persons who are inventors of the invention being claimed in this application.

- (a) Full Name _____
- (b) Full Name _____
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- ☐ Applicant(s) suggests Figure _ for inclusion on the front page of the patent application publication and/or patent.
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3. ☐ Small entity status is hereby claimed.
4. ☒ The filing fee is calculated below ☐ and in accordance with the enclosed preliminary amendment:

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TOTAL APPLICATION FEE DUE					\$1,350.00

5. ☒ **This application is being filed without a filing fee. Issuance of a Notice to File Missing Parts of Application is respectfully requested.**
6. ☐ Charge \$ _____ to Deposit Account No. 02-4800 for the fee due.
7. ☐ A check in the amount of \$ _____ is enclosed for the fee due.
8. ☐ Cancel in this application original claims _ of the prior application before calculating the filing fee.
9. ☐ New drawings are enclosed.

10. ☒ Priority of Application No. FR 00/06374 filed on May 18, 2000 in France
(country) is claimed under 35 U.S.C. § 119.
- ☒ The certified copy of the priority application
- ☐ is enclosed.
- ☒ was filed on May 18, 2001 in prior Application No. 09/859,392, filed on
May 18, 2001, and acknowledged by the Examiner on December 12, 2001
in Paper No. 5.
- ☐ has not yet been filed.
11. ☐ A preliminary amendment is enclosed.
12. ☒ An Information Disclosure Statement is enclosed.
13. ☐ A General Authorization for Payment of Fees and Petitions for Extensions of Time is
enclosed.
14. ☒ Also enclosed Letter Accompanying Filing Under 37 C.F.R. § 1.53(b) Without
Payment of Filing Fee and Letter Accompanying Filing of Continuation Application
Under 37 C.F.R. § 1.53(b).
15. ☐ The power of attorney in the prior application is to ____.
- a. ☒ The power appears in the original papers in the prior application.
- b. ☐ Since the power does not appear in the original papers, a copy of the power
in the prior application is enclosed.
- c. ☐ Recognize as Associate Attorney ____.
- d. ☒ Address all future communications to: (May only be completed by
applicant, or attorney or agent of record.)

BURNS, DOANE, SWECKER & MATHIS, L.L.P.
Customer Number: **2 1 8 3 9**
P.O. Box 1404
Alexandria, Virginia 22313-1404

Date: September 22, 2003

By: Mary Katherine Baumeister
Mary Katherine Baumeister
Registration No. 26,254

ADDRESS OF SIGNATOR:

BURNS, DOANE, SWECKER & MATHIS, L.L.P.
P.O. Box 1404
Alexandria, Virginia 22313-1404
(703) 836-6620

☐ inventor(s)
☐ assignee of complete interest
☐ attorney or agent of record
☒ filed under 37 C.F.R. § 1.34(a)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of)	MAIL STOP PATENT APPLICATION
)	
Isabelle NONOTTE et al.)	Group Art Unit:
)	
Application No.:)	Examiner:
)	
Filed: September 22, 2003)	Confirmation No.:
)	
For: MANGANESE COMPOSITIONS FOR)	Continuation of Appln. No. 09/859,392,
TREATING SKIN VASCULAR TISSUE)	filed May 18, 2001
AND COMBATING SKIN PALLOR)	

LETTER ACCOMPANYING FILING UNDER 37 C.F.R. §1.53(b)
WITHOUT PAYMENT OF FILING FEE

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

The accompanying Request for Filing Continuation Application Under 37 C.F.R. §1.53(b) is being filed without payment of the filing fee. Applicants request issuance of a Notice to File Missing Parts of Application.

Respectfully submitted,

BURNS, DOANE, SWECKER & MATHIS, L.L.P.

By: Mary Katherine Baumeister
Mary Katherine Baumeister
Registration No. 26,254

P.O. Box 1404
Alexandria, VA 22313-1404
(703) 836-6620

Date: September 22, 2003

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of)	MAIL STOP PATENT APPLICATION
)	
Isabelle NONOTTE et al.)	Group Art Unit:
)	
Application No.:)	Examiner:
)	
Filed: September 22, 2003)	Confirmation No.:
)	
For: MANGANESE COMPOSITIONS FOR)	37 C.F.R. § 1.53(b)
TREATING SKIN VASCULAR TISSUE)	Continuation of Appln. No. 09/859,392,
AND COMBATING SKIN PALLOR)	filed May 18, 2001

LETTER ACCOMPANYING FILING OF CONTINUATION APPLICATION
UNDER 37 C.F.R. §1.53(b)

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

The accompanying 37 C.F.R. §1.53(b) continuation is being filed with an amended specification and claims. No new matter has been added.

The specification has been amended to cross-reference the parent application and to update the reference to the companion application.

The claims are directed to subject matter claimed in parent Appln. No. 09/859,392, filed May 18, 2001, which is being abandoned in favor of this continuation. Claims 1-44 of this continuation correspond to Claims 16-59, respectively, as filed on January 7, 2003 in Appln. No. 09/859,392.

Respectfully submitted,

BURNS, DOANE, SWECKER & MATHIS, L.L.P.

By: Mary Katherine Baumeister
Mary Katherine Baumeister
Registration No. 26,254

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Alexandria, Virginia 22313-1404
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Date: September 22, 2003